



UNITED STATES MARINE CORPS
MARINE CORPS BASE
CAMP LEJEUNE, NORTH CAROLINA 28542-5001

EO 12732.1A
BMWR
5 FEB 1991

BASE ORDER 12732.1A

DISTRIBUTION MADE _____ BY V E Turner
0740 12 Feb 91 (TIME & DATE)

From: Commanding General
To: Distribution List

Subj: RELIABILITY CHECKS FOR CHILD CARE AND YOUTH ACTIVITY PERSONNEL

Ref: (a) SECNAVINST 5300.22B, (NOTAL)
(b) MCO P5300.9C, (NOTAL)
(c) CPMVINST 5510.1H, (NOTAL)

Encl: (1) List of Child Care Centers and Youth Activities
(2) Sample of a request for a personal reference
(3) Sample of a background check request

1. Purpose. To ensure the safety and well-being of dependent children attending child care centers and participating in youth activity programs conducted at Marine Corps Base, Camp Lejeune by guarding against incidents of child abuse or neglect.

2. Cancellation. EO 12732.1.

3. Summary of Revision. Revision of this Order is necessary to update the references, change the distribution, and establish the duties of the cognizant staff officers in paragraph 8a. It also provides for an annual purge of the background checks file in paragraph 8.

4. Background. National attention continues to be focused on incidents of child abuse occurring in child care centers. Naval and Marine Corps commands have been reminded to put forth every effort to ensure the safety and well-being of children. This Order sets forth instructions to be followed in ensuring that appropriate reference checks and/or National Agency Checks are made on those individuals involved in child care and youth activity programs at this base.

5. Applicability. This Order applies to all child care centers and youth activity programs which operate aboard this base.

6. Definitions. For purposes of this Order the following definitions apply:

a. Employee, employment, or employed refers to a person who is a full-time, part-time or intermittent employee for pay, or who is a volunteer, assistant, auxiliary, or other person serving in any capacity at a child care center or in a youth activity program under circumstances which bring that person into unsupervised contact with children.

b. Unsupervised contact means any contact with a child beyond the effective range of sight or hearing of the general public or of any employee whom the cognizant staff officer has determined to be suitable. By way of illustration, a sports official who comes into contact with children on a playing field within full view of the general public and interested parents may not need a background check or personal references, but a team coach, who would often be alone with the players, would have to be determined to be suitable.

c. Child or children are any persons younger than 18 years of age in attendance at a child care center or in a youth activity program.

d. A child care center or youth activity program is any activity listed in enclosure (1) as well as any other activity so designated by the Nonappropriated Fund (NAF) Personnel Director or cognizant staff officer.

RETURN TO CENTRAL FILES,
MCB WITHIN 48 HOURS

5 FEB 1991

e. Suitable or suitability refers to one to whom a reasonably prudent person would entrust the care of a child under circumstances of unsupervised contact.

f. Cognizant staff officer means Assistant Chief of Staff, Morale, Welfare and Recreation (MWR); Director, Human Services Directorate; Command Chaplain; or their respective designees.

7. Instructions

a. Discontinuous Service. Whenever, after having served as an employee in a position requiring a suitability determination, the person ceases to serve and a period of one year or more passes, a new suitability determination is required.

b. Termination of Employment. Personnel who fail to provide personal references or whose personal references and/or background checks indicate they are not suitable for employment with children will be terminated immediately. A copy of the notice of termination of employment under the terms of this paragraph will be provided to the Provost Marshal.

c. Interim Suitability Determinations. No person shall be employed in a child care center or with a youth activity program under conditions which may bring that person into unsupervised contact with children until the cognizant staff officer determines the employed person is suitable. The determination will begin with a personal interview of the applicant before employment. When feasible and warranted by the circumstances, telephone calls to past employers or other personal references will also be made. This preliminary determination will suffice for probationary employment for a short term until written references and background check results are obtained. In ordinary cases, the cognizant staff officer will not have an opportunity to collect written personal references until after employment begins.

8. Action

a. Cognizant Staff Officers. The Assistant Chief of Staff, MWR; the Director, Human Services Directorate; and the Base Command Chaplain are responsible for child care centers or youth activity programs under their respective cognizance. They will liberally construe the phrases "child care centers" or "youth activity programs" to ensure the protections of this Order extend to the greatest number of children. Child care centers and youth activity programs include, but are not limited to, those listed in enclosure (1).

(1) The cognizant staff officer may make the suitability determination without having to request written personal references when the applicant for employment is in the military, or is a dependent residing with the appropriate military sponsor and who has resided in the Camp Lejeune area for at least six months prior to applying for employment, or who has arrived from some duty station from which the Provost Marshal will obtain a background check.

(2) The cognizant staff officer will ask each employee on whom the Provost Marshal cannot conduct a background check for any reason for the names and addresses of at least three personal references from previous employers or other persons. The references may not be members of the employee's family or of the same household and should be from the local community whenever practicable. A personal reference request containing a postage paid envelope will be mailed to each personal reference named. Enclosure (2) is a sample request which a cognizant staff officer may modify as necessary to describe accurately the position for which the employee is making application. The employee must also provide a complete history.

b. Nonappropriated Fund Personnel Division. The Nonappropriated Fund (NAF) Personnel Director, pursuant to references (a) through (c), will have National Agency Checks and reference checks conducted on Nonappropriated Fund Instrumentality employees (and all other employees except Civil Service employees) involved in child care centers or youth activity programs serviced by the NAF Personnel Office. The appropriate requests will be delivered to the Provost Marshal. The sample shown in enclosure (3) may be followed and produced by word processor. The results of the checks will be communicated to the cognizant staff officers. Annually, on 1 March,

provide the Provost Marshal with a list of all employees still active in child care and youth activity programs, those who have been terminated less than one year, and seasonal employees expected to be active within the following year. This list will be used to purge old background check files.

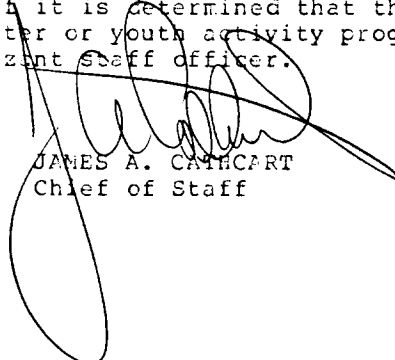
c. Civilian Personnel Division. The Civilian Personnel Director, pursuant to reference (c), will have National Agency Checks and reference checks conducted on Civil Service employees involved in child care centers or youth activity programs serviced by the Civilian Personnel Division. This will be done by completing and delivering the appropriate requests to the Provost Marshal. The example shown in enclosure (3) may be followed and produced by word processor. The results of the checks will be communicated to the cognizant staff officers. Annually, on 1 March, provide the Provost Marshal with a list of all employees still active in child care and youth activity programs, those who have been terminated less than one year, and seasonal employees expected to be active within the following year. This list will be used to purge old background check files.

d. Provost Marshal

(1) Upon receipt of a request for a background check from a cognizant staff officer or the appropriate Personnel Director, the Provost Marshal will conduct the check utilizing internal and local records on file within the Provost Marshal's Office. The results will be sent to the requestor.

(2) When the employee being checked has arrived in the Camp Lejeune area from another duty station within the preceding six months, the Provost Marshal will request the Provost Marshal or other appropriate person at the previous duty station to conduct a similar background check. Those results will be included in the local report.

(3) The Provost Marshal will retain the background checks until the person's name no longer appears on the annual list submitted by the Personnel Director each March. The Provost Marshal will examine the background check files whenever a report of unsuitable behavior is received. If it is determined that the subject of a report may be an employee of a child care center or youth activity program, that matter will immediately be made known to the cognizant staff officer.



JAMES A. CATHCART
Chief of Staff

DISTRIBUTION: N: plus MWR(26)/HSVC(4)

LIST OF CHILD CARE CENTERS AND YOUTH ACTIVITIES

1. The Assistant Chief of Staff, Morale, Welfare and Recreation is the cognizant staff officer for:

- a. Base Stables
- b. Youth sports programs
 - (1) Football
 - (2) Baseball
 - (3) Basketball
 - (4) Soccer
 - (5) Golf
 - (6) Boxing-Devilpups
 - (7) Summer Recreation Services
- c. Youth Center programs
- d. Teen Center programs
- e. Commissioned Officers' Wives' Club Sitter Service
- f. Paradise Point Pre-School
- g. Scouting activities
- h. Devilfish Swim Team

2. The Director, Human Services Directorate is the cognizant staff officer for:

- a. Midway Park Child Development Center
- b. Tarawa Terrace Child Development Center
- c. Hagnot Point Drop-In Center
- d. After School Program
- e. Family Day Care Program

3. The Command Chaplain is the cognizant staff officer for:

- a. Religious youth activities
- b. Special educational events, as appropriate

ENCLOSURE (1)

SAMPLE OF A REQUEST FOR A PERSONAL REFERENCE

UNITED STATES MARINE CORPS
Marine Corps Base
Camp Lejeune, North Carolina 28542-5001

12330
MNFP-2

Dear Sir:

The individual named below has been employed by this activity and has given your firm as a reference. We would appreciate your completing the questionnaire below and providing any information you desire concerning the individual's character and services. A stamped, self-addressed envelope is enclosed for your convenience.

Sincerely,

I am aware of the provisions of the Privacy Act of 1974. I hereby authorize the release of the requested information directly to the Nonappropriated Fund Personnel Office.

EMPLOYEE'S NAME/SSN

EMPLOYEE'S SIGNATURE

1. The above named individual was employed from _____ to _____ as _____.
2. Were services satisfactory? () YES () NO Please state reason for termination of employment: _____
3. Was the above named individual discharged from your employment for cause? () YES () NO If yes, please state reason: _____
4. Did individual lose much time on account of sickness or other disability? () YES () NO
5. As far as you know, has individual ever been suspected of, or charged with dishonesty? () YES () NO
6. Do you recommend individual as reliable person to employ? () YES () NO
7. Please check one of the following descriptions which best fits this person:
() Excellent () Above Average () Average () Below Average
() Unsatisfactory
8. REMARKS: _____

DATE

SIGNATURE/POSITION TITLE

ENCLOSURE (2)

SAMPLE OF A BACKGROUND CHECK REQUEST

UNITED STATES MARINE CORPS
Marine Corps Base
Camp Lejeune, North Carolina 28542-5001

12330
MNFP-2

From: Nonappropriated Fund Personnel Director
To: Provost Marshal

Subj: REQUEST FOR BACKGROUND CHECK

Ref: (a) BO 12732.1B

1. Pursuant to paragraph 7 of the reference, a background check utilizing locally held and locally available records or, if appropriate, records held at a previous command, is requested in the case of _____, (SSN) _____, whose military sponsor is _____ (SSN) _____, and who arrived in the Camp Lejeune area from _____ on _____.

I am aware of the provision of the Privacy Act of 1974 at Title 5 U. S. Code, Section 552 and the personal nature of the information requested above. I hereby authorize the release of this information directly to the requestor and to such other officers and persons having a need to know in the discharge of their official duties.

APPLICANT'S SIGNATURE

From: Provost Marshal
To: Nonappropriated Fund Personnel Director

Subj: REQUEST FOR BACKGROUND CHECK

1. The requested background check completed on _____ revealed the following information:

ENCLOSURE (3)